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April 1, 2021

VIA ECF AND EMAIL

The Honorable Wendy Beetlestone, U.S.D.J.
United States District Court for the Eastern District of Pennsylvania
James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

**Re: *Andrew J. Okulski v. Carvana, LLC et al.*,
U.S.D.C., E.D. Pa., No. 2:20-cv-01328-WB**

Dear Judge Beetlestone:

Pursuant to Section II of the Court's Policies and Procedures applicable to civil cases, we write jointly on behalf of the parties in the above-referenced matter.

Trial is scheduled to begin on May 24, 2021 and, at present, there is only one claim to be tried: breach of contract. However, today Plaintiff filed a Second Motion for Reconsideration seeking "reconsideration and reversal of the Court's dismissal of his Fraud (Count I), Pennsylvania Professions and Occupations Act (Count II), and Unfair Trade Practices and Consumer Protection Law (Count VI) claims" as against Defendant Carvana, LLC and a previously dismissed party, Katelyn Gregory. (Dkt. 45-2 at 1.) If granted, the Motion for Reconsideration would reinstate claims that involve different issues, proofs, and potential damages, and would add a since-dismissed party to the case. Accordingly, the outcome of that motion could substantially affect the scope of the parties' pretrial submissions and preparation, such that proceeding under the Amended Pretrial Scheduling Order would be inefficient and premature while these issues remain open.

The parties therefore respectfully request that the Court vacate all pretrial dates as well as the trial date set forth in the Amended Pretrial Scheduling Order (Dkt. 44) and issue an amended scheduling order and trial date following a decision on the Motion for Reconsideration. The parties are prepared to promptly proceed with trial following that decision.

We thank the Court for its time and consideration of this request.

Respectfully submitted,

/s/ Craig M. Flanders
Craig M. Flanders

cc: All counsel of record (via ECF)